

**NEVADA DEPARTMENT OF CORRECTIONS
ADMINISTRATIVE REGULATION
550**

**CLASSIFICATION AND MANAGEMENT OF
NON-DOC OFFENDERS**

Supersedes: AR 550 (Temporary, 04/22/10)

Effective Date: 05/20/10

AUTHORITY: NRS 176A.770
NRS 176A.780
NRS 209.291
NRS 209.311
NRS 209.356
NRS 215A

RESPONSIBILITY

The Offender Management Administrator (OMA) is responsible for receiving and transferring inmates between Nevada and other jurisdictions.

The Deputy Director of Support Services is responsible for the preparation of the contracts and overall agreements between the Department and other jurisdictions.

550.01 GENERAL REQUIREMENTS

1. Non-DOC Offenders (NDO) are considered to be Interstate Corrections Compact (ICC) inmates, county safe keepers, or inmates participating in the Regimental Discipline (Boot Camp) program.

2. All NDO inmates who are received within the Nevada Department of Corrections (NDOC) will be identified using ID numbers, fingerprints and photographs in the same manner as a regular commitment to the Department.

A. All NDO inmates should attend Initial Classification with a recommendation to OMD for subsequent housing and custody.

B. Fingerprints of inmates who are received as NDO's will not be submitted to the Nevada Criminal Justice Information System (NCJIS) except for inmates committed to the Program of Regimental Discipline (Boot Camp) who will have their fingerprints submitted to NCJIS.

3. All NDO inmates are to participate in the full reception process for new commitments to the Department.
4. Approvals for all transfers of NDO inmates are to be referred to the OMD, including movement of the inmates between the Boot Camp and its supporting institution.
5. All releases of NDO inmates, regardless of type, will be approved through OMD/ Correctional Case Records Manager.
6. All former NDO inmates who are returned to the Department as regular new commitments will keep the same ID number but will be assigned a new Booking Number in the Nevada Offender Tracking Information System (NOTIS). They will again complete the intake process.
7. All rules and regulations of the Department apply to NDO inmates including the requirements for medical charges, departmental charges and restitution assessed by disciplinary committees.

550.02 INTERSTATE CORECTIONS COMPACT (ICC) BOARDERS AND FEDERAL NON-DOC INMATES

1. Criteria

- A. The DOC may engage in an exchange of inmates from other states or federal authorities with or without the consent of the subject inmate.
- B. The DOC should only engage in an exchange of inmates from the Department for the purpose of:
 - (1) Separating inmates from significant criminal associates and security threat groups in order to control their misconduct.
 - (2) Separating inmates who are in extreme risk of serious injury or death based upon their relationships with other inmates or notoriety amongst the inmate population and who cannot be safeguarded adequately within the Department.
 - (3) Placing inmates in secure environments to control their significant misconduct.
 - (4) Placing inmates in appropriate correctional environments to meet medical treatment or management needs that cannot be met in the facilities of the Department.
- C. The DOC should not use these transfers for family reunification purposes.

D. The “man-day balance” between the DOC and other jurisdictions contracting with the Department should, to the degree possible, be kept on an even, mutual exchange basis.

2. Out Bound Processing

A. Candidate inmates should be recommended based upon the policy described above.

(1) All classification actions nominating inmates for transfer are to be referred to the OMA or designee.

(2) In the event this action represents an involuntary transfer on the part of the inmate, the action is to be considered adverse classification and should be conducted using the process in AR 507 for placement of inmates in segregation.

(3) If the OMA approves a transfer candidate, the OMA will notify the institution and require the development of a transfer packet. This packet will include:

(a) The most recent Intake Summary.

(b) The most recent Pre-Sentence Investigation (PSI).

(c) A progress report in a parole board report format, which includes the reason for the transfer.

(d) A disciplinary history report.

(e) Medical, dental and mental health evaluations.

(4) This packet will be transmitted to the ICC Coordinator at OMD.

B. The OMA or designee will seek an appropriate placement for the ICC candidate.

(1) The OMA or designee will consider the man-day balance in selecting states to which the candidate will be referred.

(2) If the candidate is accepted by another state, the OMA or designee will arrange for the transportation of the inmate.

C. The OMA will require OMD staff to make appropriate entries into the related NOTIS applications to account for the man-day balance with the other state.

D. Any casework required by the inmate transferred to another jurisdiction will be completed by OMD.

E. Nevada inmates in other states will not be granted minimum custody in the other state without the approval of Nevada's Director, Deputy Director (DD) or OMA.

F. Nevada inmates in other states will not be allowed to participate in any conjugal or family visit that involves or allows sexual contact with another person.

G. The location or reason why a Nevada inmate is located in another jurisdiction is **not** public information. All inquiries regarding this issue will be referred to the OMA or designee.

H. Nevada inmates in other states will have all records from the other institutions provided to the Correctional Case Records Manager of OMD.

I. Property

(1) During voluntary transfer, all inmate property except for basic health and hygiene articles and a limited amount of personal effects, will be mailed prior to transfer to a destination of the inmate's choosing. This mailing shall be at the inmate's expense.

(2) Property which is not mailed per this requirement will be disposed of by the institution according to the provisions set forth in AR 711.

(3) During involuntary or emergency transfers, all inmate property will be properly inventoried and mailed to a destination of the inmate's choosing. This mailing shall be at the Department's expense.

3. Inbound ICC Candidates

A. All inquiries regarding placement with the DOC from another jurisdiction will be referred to the OMA or designee.

B. The OMA/designee will evaluate all submittals from other states.

C. The OMA will consult with the Director, Deputy Director and Warden of the receiving institution as indicated by the case factors presented in the referral packet.

(1) The approval of the OMA will take into account:

(a) The Department's ability to manage or safeguard the inmate.

(b) The existing man-days balance with the candidate state.

(c) The medical, dental and mental health needs of the candidate and any other relevant factors.

D. The OMA/designee will notify the Associate Warden or Warden of the reception center to which the approved inmate will be transferred, and transmit the referral packet from the sending state.

E. The OMA/designee will cause NOTIS to be adjusted by staff to maintain the man-day balance for inbound inmates.

F. Institutional staff will communicate with the sending jurisdiction through the ICC Coordinator of OMD.

G. All persons requesting information on an inmate from another jurisdiction will be referred to the OMA/designee. The location of these inmates is not public information.

H. The OMA/designee is responsible for the development and maintenance of contracts with other jurisdictions.

550.03 COUNTY/CITY JAIL INMATES

1. The DOC may accept inmates from county or city police departments within the State of Nevada.

2. The Director, Deputy Director, or OMA is authorized to approve the acceptance of these inmates.

A. Inmates should be accepted only if they present a significant management problem to the local jurisdiction, based upon one of the following criteria:

- (1) Serious misconduct.
- (2) Escape risk.
- (3) Protective custody needs.
- (4) Lack of medical supervision.

B. The Department will not provide security coverage at hospitals for these inmates.

C. Inmates should be processed into the DOC at a reception center unless specifically authorized for placement in an alternative institution or facility by the approving administrator.

D. The administrator accepting these inmates shall check with the Medical Director before accepting inmates for medical supervision in the Regional Medical Facility, a mental health unit or the infirmary of an institution.

- (1) Upon acceptance, the Chief of Fiscal Services shall be notified.
 - (2) If the case involves a serious or critical medical issue, the on call physician shall be contacted.
- E. The administrator accepting the inmate shall require the Sheriff or Chief of Police to provide a letter to the DOC for transmittal with the inmate to the Department. This letter should contain the following:
- (1) Name/alias of the inmate.
 - (2) Pending charges or adjudicated charges.
 - (3) Social Security Number – FBI number – SID number.
 - (4) Date of birth.
 - (5) Place of birth.
 - (6) Basis for request.
 - (7) Pertinent behavioral observation.
 - (8) Pertinent medical/mental health observations.
- F. Administrators considering acceptance of the candidate inmate should advise the local jurisdiction of its responsibilities for outside medical/dental and mental health costs.
- G. The local jurisdiction should be advised of its responsibility to transport the inmate to and from the Department for court, as well as its responsibility to supervise the inmate during overnight hospital stays.
- H. Inmates who are accepted into the DOC for medical or mental health supervision should be returned to their original jurisdiction as soon as that medical or mental health supervision is no longer required.
- I. The institutional staff where the inmate is housed will coordinate with the OMA and OMD for NOTIS authorization for movement, for releases and transfers back to local jurisdictions.

550.04 PROGRAM OF REGIMENTAL DISCIPLINE – BOOT CAMP INMATES

1. The DOC will carry out the mandate of the courts for the evaluation, education and treatment of inmates whose offense(s) qualify for probation through the conduct of a program of regimental discipline.
2. The location of the boot camp will be designated by the Director.
 - A. The conduct of the program is the responsibility of the Warden who is responsible for the camp in which the boot camp is located.
 - B. The boot camp lieutenant will develop institutional procedures which are to be reviewed and approved annually or as needed, by a Deputy Director.
 - C. The boot camp is to have a complete and current syllabus on file with the Director, Deputy Director, and OMA.
 - D. Inmates will complete the intake process and Initial Classification, where consideration will be given to the regimental discipline criteria defined in NRS 176A.780.
 - E. The classification committee should not classify inmates to the boot camp who are medically or mentally incapable of meeting the demands of the program.
 - F. Initial classification recommendations for inmates will be approved by OMD.
 - G. All casework relative to inmates will be documented in NOTIS.
3. Movement is not to take place between the boot camp and the supporting institutions regardless of the direction of the movement, without the approval of OMD, or for an emergency unscheduled movement as defined by OMD.
4. Serious misconduct on the part of an inmate will be managed per the requirements of AR 707 – Inmate Disciplinary Process, and documented in NOTIS.
5. Boot camp staff is not authorized to make contact with the committing authority in order to extend or suspend the stay of an inmate in the boot camp. Such requests are to be made to the OMA for consideration for referral to the court.
6. Return to court.
 - A. Inmates who successfully complete the boot camp are to be returned to the jail in the county from which they were committed prior to the elapse of 190 days from the time of arrival in the DOC.

B. Inmates who fail the boot camp are to be returned to the jail in the county from which they were committed as soon as practical.

C. Regardless of the type of return, an inmate who has discharged the boot camp will be accompanied by a report to the sentencing court which details the inmate's program adjustment.

(1) This report will include a recommendation to the court for the sentencing of the inmate.

(2) This report and recommendation will also be forwarded to OMD.

550.05 RECEIVING INMATE CONTRACT TRANSFERS (Other States/Federal inmates)

1. The Deputy Director of Support Services (DDSS) is responsible for the preparation of the contract and overall agreement between the DOC and the sending state.

A. The DD and the OMA will coordinate the review of inmate packets prior to the transfers taking place.

B. The OMA will coordinate the transfer of the inmates to the DOC, in conjunction with institutional resources and /or the Department's Central Transportation Lieutenant.

C. The OMA will provide a list of accepted inmates to the OMD statistician in order to secure identification and booking numbers and to develop a working list of inmates received.

2. The receiving institution is responsible for ensuring completion of the intake process within three weeks of arrival. The institution may utilize any staff provided by the sending state to complete the intake process.

3. Periodic classification reviews for recommendations for returning a contracted inmate back to the sending state must be made to the OMA, who will determine if the transfer should take place.

A. This will include consulting with the DDSS.

B. The institution should report any issues of prompt removal from the normal housing unit. If these are noted during the periodic review process, this information must be reported to the OMA/designee to determine if action is warranted.

4. Semi-annual inmate progress reports are to be completed twice a year in June and December.

A. The OMD ICC Coordinator will notify the institution's CCS III, 30 days prior to the date the reports are due.

B. The OMD ICC Coordinator will copy the reports for the C-file and send the original reports to the sending state.

5. Report format

A. Complete and print a parole progress report using NOTIS. Attach a NOTIS generated disciplinary report and time credit report.

B. If the contracting state would prefer a computer interface reporting system and one can be developed that is acceptable to both parties, it can be used in place of a printed report.

6. Returns/Release/Transfers

A. Once approved by the DOC and the sending state and a date has been established, the OMA/designee will inform the OMS ICC Coordinator, who will then notify the following:

(1) Deputy Director

(2) Deputy Director of Support Services

(3) Correctional Classification & Planning Specialist

(4) Institutional Warden

7. The OMD ICC Coordinator will ensure that the information is entered into NOTIS to document and propose the move transaction for OMD final approval.

8. Any recommendations for transfers with the Department are to be directed to the OMA.

9. All transfers are to be reported to the OMD statistician in order to update the contract list.

10. The OMA/designee will notify the ICC Coordinator of any arranged parole of an offender.

11. The ICC Coordinator will contact the designated institutional CCS III of the planned release. The following staff are also to be notified:

A. Deputy Director of Support Services

B. Correctional Classification & Planning Specialist

12. Statistical reports

A. The statistician/designee is responsible for maintaining an up-to-date report of contracted inmates, to include the following:

- (1) Sending state
- (2) Inmate name
- (3) ID number
- (4) Institutional location
- (5) Commitment date

B. This report is to be updated monthly and forwarded to the following:

- (1) Deputy Director
- (2) Deputy Director of Support Services
- (3) Offender Management Administrator
- (4) Correctional Classification & Planning Specialist
- (5) ICC Coordinator
- (6) Institutional Warden

C. If the count changes, a report is to be prepared and forwarded to the above staff as soon as practical, prior to the completion of the monthly report.

550.06 NON-DOC OFFENDER ESCAPES

- 1. The escape of a NDO will be deemed an escape from the Department.
- 2. Normal procedures for the recapture of an inmate, to include notifications and warrants, will be accomplished by the Department as outlined in AR 450 – Preventing, Apprehending and Reporting Escapes.
- 3. Dissemination of information

A. The OMA will notify the Division of Parole and Probation of the escape of a Boot Camp inmate, for notice to the court.

B. The boot camp staff will immediately complete a report to the court regarding the inmate's participation and escape.

C. The report shall be submitted to the court when the inmate is recaptured, with copies to the DD and OMA.

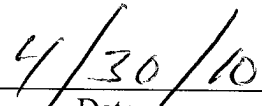
D. For all other NDO escapes, the OMD warrants coordinator is responsible for notifying the designated staff with OMD, to ensure notification to the sending jurisdictions.

APPLICABILITY

1. This procedure applies to all institutions and facilities.
2. This regulation requires an audit.



Howard Skolnik, Director



Date